FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.4435 OF 2004
IN
FIRST APPEAL NO.1422 OF 2004

Office notes, office Memoranda of Coram, appearances, Court's orders or directions & Registrar's orders.	: : : : :	Court's or Judge's Orders

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Mr. K.J. Kandpile for the applicant.

Mr. Madhav Jamdar for the respondent.

CORAM: SMT. RANJANA DESAI, J.

DATED: 10TH MARCH, 2005.

P.C.:-

Heard the learned counsel for the parties.

The learned counsel for the respondent / plaintiff states that the plaintiff has deposited the entire amount which he has to pay to the defendant under the impugned order of the trial court.

In view of this, during the pendency of the appeal, the appellant defendant is directed not to sell,

assign, transfer, alienate, encumber the suit property or create any third party rights or induct any one therein. The learned counsel for the respondent / plaintiff states that the suit property is likely to be acquired. If any notice of acquisition is received by the appellant / defendant, he shall communicate the said fact to the respondent / plaintiff within a week from the date of receipt of such notice. Pending final hearing of this appeal, the direction issued to the defendant to execute the sale deed in favour of the plaintiff shall remain stayed.

Civil application is disposed of in the aforestated terms.

(SMT. RANJANA DESAI, J.)